

375-201 605-205 030/800
80-203 030/800
#3



PATENT
Attorney Docket No.: A-63770-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

ANDERSON et al.

Serial No. 08/701,278

Filing Date: 8/22/96

For: A NOVEL HOMEODOMAIN
PROTEIN

) Examiner: UNKNOWN

)

) Group Art Unit: UNKNOWN

)

)

)

)

)

)

)

310 CS 06-1301 01/27/97 087-31014 201 10-00CH

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on 12/9/96.

Robin M. Silva, Reg. No. 38,304.

Signed: Robin M. Silva Date: 12/9/96

RESPONSE TO NOTIFICATION OF MISSING PARTS

Box Missing Part
Assistant Commissioner
for Patents
Washington, DC 20231

Sir:

In response to the Notification of Missing Requirement Parts dated October 8, 1996, enclosed are the following:

1. Copy of Notification of Missing Parts;
2. Declaration for Patent Application by Tetsuichiro Saito;
3. Declaration for Patent Application by David J. Anderson;
4. Power of Attorney by assignee;

260 NJ 12/31/96 08701278
1 201 375.00 CK
1 203 80.00 CK
1 205 65.00 CK

4/203
06-1300 01/02/97 08701278

Serial No.: 08/701,278
Filing Date: August 22, 1996

5. Verified Statement Claiming Small Entity;
6. Preliminary Amendment, sequence listing and sequence listing in computer readable form; and
7. Notice to Comply with Requirements for Patent Applications Containing Sequence listing.

The Assignment has been forwarded to the Assignment Branch for recordation.

The Commissioner is authorized to charge any additional fees, including any extension fees, which may be required, or credit any overpayment to Deposit Account No. 06-1300 (Our Order No. A-63770-1/RFT) a duplicate copy of this sheet is enclosed.

Respectfully submitted,

FLEHR, HOHBACH, TEST,
ALBRITTON & HERBERT

By:


Robin M. Silva

Reg. No. 38,304

Four Embarcadero Center, Suite 3400
San Francisco, CA 94111-4187
(415) 781-1989

Dated: December 8, 1996

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.

2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c). —

3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).

7. Other: _____

Applicant must provide:

An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"

An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification

A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123
For CRF submission help, call (703) 308-4212
For PatentIn software help, call (703) 308-6856

Please return a copy of this notice with your response. —



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
--------------------	-------------	-----------------------	------------------------

08/701,278 08/22/96 ANDERSON

D A-63770-1/RF

0232/1008
FLEHR HOHBACH TEST ALBRITTON & HERBERT
FOUR EMBARCADERO CENTER
SUITE 3400
SAN FRANCISCO CA 94111-3249

0000

DATE MAILED:

NOTICE TO FILE MISSING PARTS OF APPLICATION 10/08/96
FILING DATE GRANTED

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 126.00 for large entities or \$ 63.00 for small entities who have filed a verified statement claiming such status. The surcharge is set forth in 37 CFR 1.16(e).

If all required items on this form are filed within the period set below, the total amount owed by applicant as a large entity, small entity (verified statement filed), is \$ 1144.60.

Applicant is given ONE MONTH FROM THE DATE OF THIS LETTER, OR TWO MONTHS FROM THE FILING DATE of this application, WHICHEVER IS LATER, within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

1. The statutory basic filing fee is: missing insufficient. Applicant as a large entity small entity, must submit \$ 1144.60 to complete the basic filing fee.
2. Additional claim fees of \$ 245.00 as a large entity, small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
3. The oath or declaration:
 is missing.
 does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required.

4. The oath or declaration does not identify the application to which it applies. An oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
5. The signature(s) to the oath or declaration is/are: missing; by a person other than the inventor or a person qualified under 37 CFR 1.42, 1.43, or 1.47. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
6. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

7. The application was filed in a language other than English. Applicant must file a verified English translation of the application and a fee of \$ _____ under 37 CFR 1.17(k), unless this fee has already been paid.
8. A \$ _____ processing fee is required since your check was returned without payment. (37 CFR 1.21(m)).
9. Your filing receipt was mailed in error because your check was returned without payment.
10. The application does not comply with the Sequence Rules. See attached Notice to Comply with Sequence Rules 37 CFR 1.821-1.825.
11. Other.

Direct the response to Box Missing Part and refer any questions to the Customer Service Center at (703) 308-1202.

A copy of this notice MUST be returned with the response.

BEST AVAILABLE COPY